

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Social Welfare Department - AP Reorganization Act 2014 - AP State Commission for Scheduled Castes and Scheduled Tribes – Included in Xth Schedule – Instructions of the Government – Orders – Issued.

SOCIAL WELFARE (PCR) DEPARTMENT

G.O.Ms.No. 68

Dated:01.06.2014.

Read the following:-

1. Act No.9 of 2003, dated 03.06.2003.
2. AP Reorganization Act, 2014.
3. Govt. Memo.No.10411/SR/A1/2014, G.A. (SR) Dept., Dt.14.5.2014.
4. From the Officer on Special Duty, AP., State Commission for Scheduled Castes and Scheduled Tribes, AP., Hyderabad, Letter No.Admn/7282/2013, dated 02.05.2014.

ORDER:

The Government of India have enacted the A.P. Reorganization Act, 2014 on 1.3.2014. As per Article 3 of Act, on the appointed date i.e., 2.6.2014, there shall be formed a new State to be known as State of Telangana consisting of 10 districts, as notified and the residual Andhra Pradesh State shall consist of the remaining 13 districts.

2. Section 75 of the A.P. Reorganization Act, 2014 provides for the continuation of the facilities provides by certain Government Institutions / Centers listed in the Xth Schedule of the Act and the A.P.State Commission of SC's and ST's is listed at Sl.No.87 of the said Schedule.

3. In the reference 3rd read above, it has been informed that the Apex Committee for State Reorganization, in its meeting held on 3.5.2014, have examined in detail the issues relating to the services / facilities rendered by the institutions listed in the Xth Schedule and specific instructions were issued with regard to the action to be taken for the bifurcation / new establishment of the institutions, on and from the appointed day. The Secretaries of the Administrative Department and the CEO's of the institutions / organizations were instructed to take immediate measures in accordance with statutory requirements stipulated in the A.P Reorganization Act, 2014 and the provisions of the Cooperation Act and the Societies Act for the bifurcation of the entities. Annexure I to the Memo. No. 10411/SR/A1/2014, General Administration (SR) Department, dated 14.5.2014 mentioned above, stipulates the action to be taken with regard to the A.P State Commission for SC's and ST's and is mentioned, as here-under:

“This is essentially a departmental statutory body established under specific Central and State legislations, as the case may be. A new statutory body needs to be established as per the statute under which it is established for the other state preferably before Appointed Day. The assets, departmental posts, liabilities, etc., of the existing body will be divided as per the provision of the APRA 2014 between the existing and new body to be constituted”.

4. In the reference 4th read above, the Officer on Special Duty, AP., State Commission for Scheduled Castes and Scheduled Tribes, AP., Hyderabad, has stated that certain institutions relating to SWD falling the Tenth Schedule of the AP Reorganization Act of 2014 have to be divided before the appointed day as per the recommendations of the Sectoral Sub-committee. Accordingly, the AP State Commission for Scheduled Castes and Scheduled Tribes, created through Act 9 of 2003, to safeguard the interests of the Scheduled Castes and the Scheduled Tribes in the State has to be divided and the two Commissions have to be established before the appointed day by following the due procedure. Hence, he has requested to issue necessary orders in the above regard.

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5. The extant position has been examined and it is observed that the Act No.9 of 2003, dated 03.06.2003 provides for the establishment of the AP State Commission for Scheduled Castes and Scheduled Tribes to safeguard the interests of the Scheduled Castes and Scheduled Tribes in the State of Andhra Pradesh and for matters connected therewith and incidental thereto. Thus, the present AP State Commission for SC's and ST's is a statutory body. The establishment of a new statutory Body for the other State, requires approval by the Legislature of the new State and also the prior consultation with the National Commission for SC's and the National Commission for ST's. The matter also requires the assent of Ministry of Home Affairs, Government of India, and the Hon'ble President of India. Thus, the process of the establishment of a new statutory Body for the other State can only be taken up and completed after the appointed day i.e., 2.6.2014.

6. In view of the circumstances stated supra and after careful examination of matter, Government hereby orders that the Andhra Pradesh Commission for SC's and ST's will continue in the present shape on and after the appointed day i.e., 2.6.2014 and shall continue to provide services to both the States, till further orders and till an appropriate decision is taken in the matter by the concerned States.

7. The Officer on Special Duty, AP., State Commission for Scheduled Castes and Scheduled Tribes, AP., Hyderabad shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.S.RAWAT
SECRETARY TO GOVERNMENT

To

The Officer on Special Duty, AP., State Commission for Scheduled Castes and Scheduled Tribes, AP., Hyderabad
The Commissioner of Social Welfare, A.P., Hyderabad.

Copy to

The Principal Secretary to Government, Tribal Welfare Department.
The Principal Secretary to Government, Finance (Exp. SW) Department.
The Commissioner of Tribal Welfare, AP., Hyderabad.
The P.S. to the Governor,
The P.S. to the Advisor to Governor
The P.S. to the Chief Secretary to Government.
The P.S. to the Secretary to Government, Social Welfare Department.
The Finance (Exp. SW) Department.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER